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RUEHGP/AMEMBASSY SINGAPORE PRIORITY 8446
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INFO RUEHGB/AMEMBASSY BAGHDAD 8157

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TAGS: [GM](#) [IZ](#) [JA](#) [KS](#) [KTIA](#) [MARR](#) [PGOV](#) [PREL](#) [SN](#) [SOFA](#)
SUBJECT: IRAQI SOFA NEGOTIATING TEAM ON FACT-FINDING VISIT

Classified By: NEA DAS Lawrence E. Butler for reasons 1.4 (b) and (d).

SUMMARY

¶1. (SBU) Following several months of negotiations on a Status of Forces Agreement between Iraq and the United States, the Iraqi negotiators have decided to visit several countries with similar bi-lateral agreements with the United States already in place. Posts are requested to support the visit by providing briefings as requested by the Iraqi delegation

and informing relevant host country officials that the United States supports the visit and requests their cooperation with the Iraqi delegation. These visits will likely take place from mid-May through early June.

BACKGROUND

¶2. (C) The Iraqi delegation has been instructed by the Iraqi Prime Minister to travel to several countries where the United States has Status of Forces Agreements (SOFAs). These visits are both to inform the Iraqi delegation, which has no prior experience with SOFAs, and to demonstrate to the Iraqi public and Council of Representatives that the GOI has done due diligence in carrying out the negotiations. The Iraqi delegation likely will be interested in several key points:

- host nation jurisdiction over U.S. forces;
- security guarantees, if any, between the United States and the host nation;
- financial arrangements for U.S. use of host nation facilities.
- implementation of the SOFA through Joint Commissions.

OBJECTIVES

¶3. (C) Drawing from information in paragraphs 2-4 as well as respective SOFA agreements, embassies and U.S. military representatives are requested to brief the Iraqi team on how the SOFA with the host nation is implemented and how it facilitates military-to-military engagement. If the issue of concurrent jurisdiction over U.S. personnel should arise, briefers should emphasize the established judicial systems of the host country and the long-standing U.S. relationship with the host nation. Briefers should also be prepared to explain how the SOFA supports the treaty relationship (NATO, Japan, Korea) or other agreements such as the Strategic Framework Agreement (Singapore), but that the SOFA itself does not offer security guarantees or assurances. It would be helpful to emphasize where host governments contribute to the

non-personnel stationing costs (NPSC) of U.S. forces in the host country, as well as the fact that the activities of U.S. forces and U.S. contractors operating in support of those forces are not taxed by the host government.

¶4. (C) Posts are requested to inform host governments of the Iraqi delegation's visit and that the U.S. believes that these conversations will be useful to the development of a normal military-to-military relationship between the United States and Iraq. Should the host nation request a copy of the SOFA under negotiation between the U.S. and Iraq, inform them that the text is under negotiation. (For Tokyo, Seoul and Singapore only: If host officials ask, you may inform them that negotiators are discussing a provision that would enable Iraq to extend the protections, obligations and necessary authorities of our bilateral SOFA to Coalition partners who so desire.) In all cases, negotiation of the U.S.-Iraq SOFA should be left to the U.S. negotiating team. U.S. Embassy and military officials should avoid making comments about the content of the SOFA being negotiated with Iraq and the SOFA with host nations.

REPORTING DEADLINE

¶5. (SBU) Posts are asked to report back on the visit as soon as possible. Readouts of results of meetings should be slugged to Embassy Baghdad's PolMil section and SOFA negotiating team and to NEA/I and S/I.
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